



DOUGLAS A. DUCEY
- GOVERNOR -

VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
9535 E. DOUBLETREE RANCH RD., STE. 100 ♡ SCOTTSDALE, ARIZONA 85258
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VETBOARD.AZ.GOV

MINUTES
December 13, 2017
Board Room, at 8:30 a.m.
9535 E. Doubletree Ranch Rd., Board room
Scottsdale, Arizona 85258

Members Present: Ms. Nikki Frost, CVT, Dr. Christina Bertch-Mumaw (left at 9:30am), Mr. Jim Loughhead, Dr. Sarah Heinrich, Dr. Robyn Jaynes, and Dr. J. Greg Byrne.

Members Absent: Ms. Jessica Creager, Dr. Darren Wright and Ms. Julie Young.

Staff and Legal Counsel Present: Ms. Victoria Whitmore, Executive Director; Ms. Sunita Krishna, Assistant Attorney General (A.A.G.); and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Dr. Bertch-Mumaw at 8:30 a.m.

II. INITIAL INVESTIGATIVE REVIEW

1. 18-06, In Re: John Heller, DVM

Dr. Bertch-Mumaw recused. Attorney, Mr. David Stoll was present and read a statement on behalf of Dr. Heller.

- At 9:18am, a motion was made by Ms. Frost and seconded by Dr. Heinrich to go into executive session for legal advice. Motion 5 ayes, 1 recusal.
- At 9:23am, the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Jaynes to pend this matter to the February Board meeting. Roll call: Ms. Frost, aye; Dr. Bertch-Mumaw, recused; Mr. Loughhead, nay; Dr. Heinrich, nay; Dr. Jaynes, nay; and Dr. Byrne, nay. **Motion failed**, 4 nays, 1 aye and 1 recusal.

After further discussion and consideration, a motion was by Dr. Heinrich and seconded by Dr. Byrne to schedule this matter for an **Informal Interview**. Motion passed 5 ayes, 1 recusal.

2. 18-08, In Re: Carol Richardson, DVM

After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

3. 18-12, In Re: Mark Fink, DVM

Dr. Bertch-Mumaw recused. Dr. Fink was present with counsel, Mr. David Stoll, and made statements. Ms. Erica Austin was present and made statements. After discussion and consideration, a motion was made by Dr. Byrne and seconded Dr. Jaynes to issue Dr. Fink a **Letter of Concern**. Roll Call: Ms. Frost, nay; Dr. Bertch-Mumaw, recused; Mr. Loughhead, nay; Dr. Heinrich, nay; Dr. Jaynes, aye; and Dr. Byrne, aye. **Motion failed, 2 ayes, 3 nays, 1 recusal.**

After further discussion and consideration, a motion was made by D. Heinrich and seconded by Ms. Frost to offer Dr. Fink a **Consent Agreement** accepting the proposed Findings of Fact and Conclusions of Law as the Board's Findings of Fact and Conclusions of Law. Motion passed 5 ayes, 1 recusal.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Jaynes to offer Dr. Fink a Consent Agreement that includes a **Decree of Censure**. Roll call: Ms. Frost, aye; Dr. Bertch-Mumaw, recused; Mr. Loughhead, aye; Dr. Heinrich, aye; Dr. Jaynes, aye; and Dr. Byrne, aye. Motion passed 5 ayes, 1 recusal.

4. 18-13, In Re: Eric Cohen, DVM

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

5. 18-14, In Re: Maggie Jones, DVM

Dr. Jones was present with counsel, Ms. Suzie Irwin, and made statements. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

6. 18-15, In Re: Cody Alcott, DVM

Dr. Alcott was present with counsel, Ms. Suzie Irwin, and made statements. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

7. 18-16, In Re: Edwin Kiesel, DVM

Attorney, Mr. David Stoll was present to monitor. After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Jaynes to schedule this matter for an **Informal Interview**. Motion passed unanimously.

8. 18-17, In Re: Ivan Weinstein, DVM

Dr. Weinstein was present with counsel, Mr. David Stoll, and made statements. Ms. Stacie Robinson was present and made statements. After discussion and consideration, a motion

was made by Dr. Heinrich and seconded by Ms. Frost to schedule this matter for an **Informal Interview**. Motion passed unanimously.

9. 18-18, In Re: Edwin Kiesel, DVM

Attorney, Mr. David Stoll was present to monitor. After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Byrne to schedule this matter for an **Informal Interview** and combine with case 18-16. Motion passed unanimously.

III. INFORMAL INTERVIEWS AND BOARD DELIBERATION

1. 17-108: In Re: Edwin Kiesel, DVM. Continuance of Informal Interview of November 15, 2017, for the purpose of receiving additional information and reviewing and possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to accept the Findings of Fact and Conclusions of Law as drafted. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Jaynes to issue Dr. Kiesel an Order to include a period of **Probation for 2 years** to obtain 16 hours of continuing education, in addition to the statutory requirements to maintain licensure. The **16 hours of continuing education** are to be obtained in the following areas:

- 6 hours in dentistry; and
- 10 hours in medical record keeping.

In addition to the continuing education, Respondent is ordered to pay a **\$2,000 civil penalty** - \$1,000 for each violation. Roll call: Ms. Frost, aye; Mr. Loughhead, aye; Dr. Heinrich, aye; Dr. Jaynes, aye; and Dr. Byrne, aye. Motion passed unanimously.

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1. 17-88: In Re: Jeffrey Jenkins, DVM. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Consent Agreement.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to accept Dr. Jenkins continuing education plan submitted in compliance with his Board Order. Motion passed unanimously.

2. 17-53: In Re: Suzanne Johnsen, DVM. Board may review, discuss, and take action on Continuing Education completed as required by Consent Agreement and may return license to Active status.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to accept Dr. Johnsen's completed continuing education in compliance with her Consent Agreement and return her license to Active status. Motion passed unanimously.

3. 17-66: In Re: Edwin Kiesel, DVM. Board may review, discuss, and take action on completion of Continuing Education and submission of civil penalty as required by Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to accept Dr. Kiesel's completed continuing education in compliance with his Board Order. Dr. Kiesel has not submitted the civil penalty as required by his Board Order therefore his license will remain on Probationary status until paid. Motion passed unanimously.

4.17-68: In Re: Emily Clinton, DVM. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Board Order.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Jaynes to accept Dr. Clinton's continuing education plan submitted in compliance with her Board Order. Motion passed unanimously.

5.16-63: In Re: Sara Koehn, DVM. Board may review, discuss, and take action on Continuing Education completion and submission of civil penalty as required by Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Heinrich to accept Dr. Koehn's completed continuing education and submission of civil penalty in compliance with her Board Order and return her license to Active status. Motion passed unanimously.

6.16-91: In Re: Amy Jakobe, DVM. Board may review, discuss, and take action on Continuing Education completion and submission of civil penalty as required by Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to accept Dr. Jakobe's completed continuing education and submission of civil penalty in compliance with her Board Order and return her license to Active status. Motion passed unanimously.

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on request for approval of continuing education.

a. Boehringer Ingelheim Animal Health

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to approve the requested continuing education from Boehringer Ingelheim Animal Health. Motion passed unanimously.

2. Board may review, discuss, and take action on Investigative Committee member applications submitted and may interview applicants.

a. Christine Tran, DVM

Dr. Tran appeared telephonically, made statements and answered questions.

b. Holly Meltesen, DVM

Dr. Meltesen appeared, made statements and answered questions.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Byrne to appoint Dr. Tran to the Investigative Committee and if Dr. Tran is unable to fulfill the appointment, Dr. Meltesen will be appointed. Motion passed unanimously.

3. Board may review, discuss, and take action on required Board Member Training program.

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to add the AAVSB Board Basics and Beyond – 5 hours – to the Board Member Training program. Motion passed unanimously.

4. Board may review, discuss, and take action on the U.S. Pharmacopeia Convention (USP) Chapter 800 – Hazardous Drugs – Handling in Healthcare Settings revisions and implementation schedule.

No action.

5. Board may review, discuss, and take action on Arizona Auditor General's Board Member Per Diem Compensation and Expense Reimbursements report.

After further discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Heinrich to pend this matter until the February Board meeting. Motion passed unanimously.

6. Board may review, discuss, and take action on blueprint for State Certified Veterinary Technician exam.

After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Heinrich to modify the blueprint of the State Certified Veterinary Technician exam where it will focus on jurisprudence and hazards/diseases of the Southwest. Motion passed unanimously.

7. Board may review, discuss, and take action on veterinary application.

a. Darice Henry

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Jaynes to accept Ms. Henry's veterinary application. Motion passed unanimously.

8. Board may review, discuss and take action on complaint received without specific licensee named.

No action.

9. Board may review, discuss, and take action on draft language for potential updates to statutes related to granting the Board authority to take disciplinary action against Certified Veterinary Technicians who may have removed, without authorization, narcotics and prescription-only drugs from a veterinary facility and may direct staff to pursue legislative remedies regarding the same.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Byrne to direct Ms. Whitmore to pursue legislation regarding statutes related to granting the Board the authority to take disciplinary action against CVTs who may have removed, without authorization, drugs, equipment, supplies, etc from a veterinary facility. Motion passed unanimously.

10. Board may review, discuss, and take action on draft language from stakeholders group related to granting the Board authority over licensed veterinarians who provide services for animals owned by the veterinarian's employer.

No action.

11. Board may review, discuss, and take action on American Association of Veterinary State Boards' Draft Model Telehealth Policy Document.

No action.

12. Executive Director Report

a. Agency relocation update

Ms. Whitmore updated the Board on the agency relocation, including parking and new badge information.

b. Sunset Review process update

No new information available to present.

13. Board may review, discuss and take action on Technician Certification pending receipt of issuance fee.

- a. Elizabeth Henry**
- b. Sara Hettle**
- c. Kimberly Nelson**
- d. Ariel Nyby**
- e. Albert Singleton**

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to approve the above CVT certifications pending receipt of issuance fee. Motion passed unanimously.

14. Board may review, discuss and take action on Veterinary License pending receipt of issuance fee.

a. Michael Ciepluch (R)

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by MS. Frost to approve the above veterinary license pending receipt of issuance fee. Motion passed unanimously.

15. Board may review, discuss and take action on denial of Veterinary Technician Certification. (List available upon request.)

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to deny certification for applicants that failed the VTNE and/or State exam and authorize Ms. Whitmore to represent the Board if a settlement conference is requested with her authority limited to denial of certification. Motion passed unanimously.

16. Board may review, discuss and take action on denial of Veterinary License. (List available upon request.)

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to deny licensure for applicants that failed the State exam and authorize Ms. Whitmore to represent the Board if a settlement conference is requested with her authority limited to denial of certification. Motion passed unanimously.

17. Board may review, discuss and take action on Veterinary Application(s) pending completion by deadline date of December 13, 2017.

a. Amy Jager

b. Roberto Cediel

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to approve applicants to take the State exam pending completion of application by 5:00p.m. December 13, 2017. Motion passed unanimously.

18. Board may review, discuss and take action on Veterinary request(s) for Temporary Permit(s) pending completion by deadline date of December 15, 2017.

a. Emad Abe El Nour

b. Amy Jager

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to approve temporary permits pending document completion by December 15, 2017. Motion passed unanimously.

19. Board may review, discuss, and take action on information from Nevada State Board of Veterinary Medical Examiners regarding David Burgener, DVM.

No action.

VI. REVIEW AND APPROVAL OF MINUTES

a. June 21, 2017 Regular Session

No quorum; table for February Board meeting.

b. June 21, 2017 Executive

No quorum; table for February Board meeting.

c. November 15, 2017 Regular Session

No quorum; table for February Board meeting.

d. November 15, 2017 Executive Session

No quorum; table for February Board meeting.

VII. CONSENT AGENDA

A. Approval of Premise Licenses

1. R2928: Ironwood Animal Hospital. New Owner. Austin Stitzer, DVM
2. R2929: Power Ranch Animal Hospital. New Owner. Austin Stitzer, DVM
3. R2930: Bovine Veterinary Solutions. New Premise. Kandice Runyon, DVM
4. R2931: Foothills Veterinary Hospital. New Owner and Responsible Veterinarian. Brandon Prince, DVM.
5. R2932: Arizona Veterinary Emergency and Critical Care Center. New Owner and Responsible Veterinarian. Gloriana Halterman, DVM
6. R2934: Eye Care for Animals (Gilbert Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.

7. R2935: Eye Care for Animals (North Scottsdale Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
 8. R2936: Eye Care for Animals (South Scottsdale Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
 9. R2937: Eye Care for Animals (East Tucson Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
 10. R2938: Eye Care for Animals (Tucson Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
 11. R2939: Eye Care for Animals (Avondale Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
 12. R2940: Dove Valley Animal Hospital. New Address. Michael Kiedrowski, DVM.
 13. R2941: Shea Animal Hospital. New Owner and Responsible Veterinarian. Emily Smith, DVM
 14. R2942: Tatum Point Animal Hospital. New Owner and Responsible Veterinarian. Lisa Schnier, DVM
 15. R2943: Banfield Pet Hospital #1040. New Responsible Veterinarian. Gretchen Mansfield, DVM
 16. R2944: Banfield Pet Hospital #1082. New Responsible Veterinarian. Lisa Schnier, DVM
 17. R2945: Banfield Pet Hospital #1099. New Responsible Veterinarian. Catriona Forrest, DVM
 18. R2946: Banfield Pet Hospital #0131. New Responsible Veterinarian. Timothy Huizinga, DVM
 19. R2947: Prestige Animal Clinic. New Owner and Responsible Veterinarian. Mark Carter, DVM
 20. R2948: Catalina Pet Hospital. New Owner and Responsible Veterinarian. Amanda Maus, DVM
 21. R2949: Desert Pet Vet/Mobile Unit. New Premise. Natalie Schuster, DVM
 22. R2950: Mountain View Animal Hospital. New Premise. August Fosse, DVM
 23. R2951: Maricopa Wells Veterinary Hospital. New Address. Wendy Villalba, DVM
- A (1), (2), (3), (7), (8), (11), (12), (14), (16), (17), (19), (20), (21), (22) and (23), Removed from Consent Agenda.**

Approval of Premise Licenses granted.

B. Approval of Reinstatement of Technician Certification

1. Apley, Christine
2. Redington, Christine

Approval of Reinstatement of Technician Certification granted.

C. Approval to take State Veterinary Exam

1. Abd El Nour, Emad (R)
2. Sweeney, John (E)
3. Wenner, Mark (E)
4. Klimentidis, Carine (E)
5. Longley, Lauren (R)
6. Sullivan, Karin (E)

Approval to take the State Veterinary Exam granted.

D. Approval of Reinstatement of Veterinary License

1. Christensen, Jason
2. Christensen, Sheena

Approval of Reinstatement of Veterinary Licenses granted.

E. Approval of Veterinary License

1. Fiskett, Rose Ann (E)
2. Grant, Krystan (E)
3. Moss, David (E)

Approval of Veterinary Licenses granted.

F. Approval of Premise Change of Scope

1. R1624 Paster Veterinary Services. Add Mobile Unit. Diane Paster, DVM.

Approval of Premise Change of Scope granted.

G. Approval of Reinstatement of Veterinary License

1. Moorhead, Reid

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to approve the Consent Agenda as amended. Motion passed unanimously.

Items Removed From Consent Agenda

- A (1) R2928: Ironwood Animal Hospital. New Owner. Austin Stitzer, DVM
- A (2) R2929: Power Ranch Animal Hospital. New Owner. Austin Stitzer, DVM
- A (3) R2930: Bovine Veterinary Solutions. New Premise. Kandice Runyon, DVM
- A (7) R2935: Eye Care for Animals (North Scottsdale Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
- A (8) R2936: Eye Care for Animals (South Scottsdale Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
- A (11) R2939: Eye Care for Animals (Avondale Practice). New Owner and Responsible Veterinarian. Reuben Merideth, DVM.
- A (12) R2940: Dove Valley Animal Hospital. New Address. Michael Kiedrowski, DVM.
- A (14) R2942: Tatum Point Animal Hospital. New Owner and Responsible Veterinarian. Lisa Schnier, DVM
- A (16) R2944: Banfield Pet Hospital #1082. New Responsible Veterinarian. Lisa Schnier, DVM
- A (17) R2945: Banfield Pet Hospital #1099. New Responsible Veterinarian. Catriona Forrest, DVM
- A (19) R2947: Prestige Animal Clinic. New Owner and Responsible Veterinarian. Mark Carter, DVM
- A (20) R2948: Catalina Pet Hospital. New Owner and Responsible Veterinarian. Amanda Maus, DVM
- A (21) R2949: Desert Pet Vet/Mobile Unit. New Premise. Natalie Schuster, DVM
- A (22) R2950: Mountain View Animal Hospital. New Premise. August Forse, DVM
- A (23) R2951: Maricopa Wells Veterinary Hospital. New Address. Wendy Villalba, DVM

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Frost to approve pending inspection and compliance. Motion passed unanimously.

VIII. SUMMARY OF CURRENT EVENTS

No summary of current events.

IX. CALL TO PUBLIC

No member of the public wished to speak.

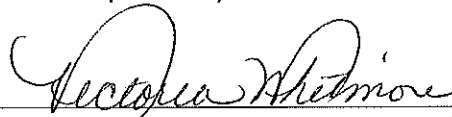
X. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held **telephonically** on **Wednesday, January 17, 2017** beginning at 8:30 a.m. at 1740 W. Adams St., Board Room A, Phoenix, Arizona 85007.

XI. ADJOURNMENT

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Victoria Whitmore", written over a horizontal line.

Victoria Whitmore, Executive Director